

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER FRZ-100US
INTERNATIONAL APPLICATION NO. PCT/AT04/00114	INTERNATIONAL FILING DATE 01 April 2004 (01.04.04)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/552,093
TITLE OF INVENTION DEVICE FOR RECEIVING AND RELEASING FREE FORMS OF ENERGY BY RADIATION		PRIORITY DATE CLAIMED 04 April 2003 (04.04.03)
APPLICANT(S) FOR DO/EO/US Gunther SCHWARZER		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

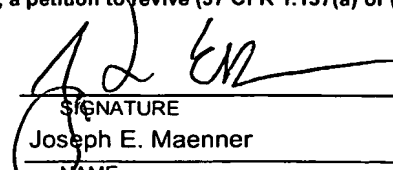
1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).


Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Copy of Notification of Missing Requirements; PTO-2038; 10 References; Search Report and Certificate of Mailing by Express Mail**

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/552,093		INTERNATIONAL APPLICATION NO. PCT/AT04/00114		ATTORNEY'S DOCKET NUMBER FRZ-100US	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)... .. \$0 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)... .. \$0 Search fee (37 CFR 1.44(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US. and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Total Sheets Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole number) RATE					
- 100 = /50 = x \$250				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 130	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 65	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 130	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 195	
				Amount to be refunded:	\$
				Amount to be charged:	\$ 195
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit t Account No. <u>18-0350</u> . A duplicate copy of this sheet is enclosed.					
d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<input checked="" type="checkbox"/> Customer Number <u>23122</u>					
OR					
<input checked="" type="checkbox"/> Ratner Prestia, P.O. Box 980, Valley Forge, PA 19482					
<input type="checkbox"/> Ratner Prestia, P.O. Box 1596, Wilmington, DE 19899					
Date: <u>June 7, 2006</u>				SIGNATURE  Joseph E. Maenner NAME 41,964 REGISTRATION NUMBER	

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant: Gunther Schwarzer			Docket No. FRZ-100US
Application No. 10/552,093	Filing Date Herewith	Examiner To Be Assigned	Group Art Unit To Be Assigned
Invention: DEVICE FOR RECEIVING AND RELEASING FREE FORMS OF ENERGY BY RADIATION			
<p>I hereby certify that this <u>Form 1390; English Translation; Preliminary Amendment; IDS; PTO/SB/08a; PTO/SB/08b, 10 references and Search Report; Declaration; Formalities Letter and PTO-2038.</u></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: <u>June 7, 2006.</u></p>			
<div style="text-align: right;"> <u>Kathleen Libby</u> (Typed Or Printed Name o Person Mailing Correspondence) </div> <div style="text-align: right;">  (Signature of Person Mailing Correspondence) </div> <div style="text-align: right;"> <u>EV 766499152 US</u> ("Express Mail" Mailing Label Number) </div>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

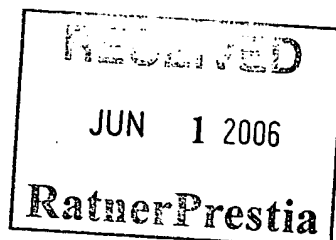


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,093	Gunther Schwarzer	FRZ-100US

23122
RATNERPRESTIA
P O BOX 980
VALLEY FORGE, PA 19482-0980



INTERNATIONAL APPLICATION NO.	
PCT/AT04/00114	
I.A. FILING DATE	PRIORITY DATE
04/01/2004	04/04/2003

CONFIRMATION NO. 4207
371 FORMALITIES LETTER



0000000018956275

Response (2m.)

7/26/06

Date Mailed: 05/26/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/04/2005
- Copy of the International Search Report filed on 10/04/2005
- Request for Immediate Examination filed on 10/04/2005
- U.S. Basic National Fees filed on 10/04/2005
- Priority Documents filed on 10/04/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

mm
6-1-06

Total additional fees required for this application is \$195 for a Small Entity:

- \$65 Surcharge.
- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,093	PCT/AT04/00114	FRZ-100US

FORM PCT/DO/EO/905 (371 Formalities Notice)